

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

PATRICIA PFAU,

Plaintiff,

v.

SODEXO OPERATIONS, LLC,
and
MARK COULTER,

Defendants.

Case No. CIV-14-1376-C

AFFIDAVIT OF TONI PEERY

The undersigned, of lawful age, duly sworn, makes this Affidavit based on her personal knowledge and belief:

1. My name is Toni Peery and I am the Office Assistant with Sodexo in Norman, Oklahoma.
2. On Thursday, September 11, 2014, some time between 8:00 a.m. and 9:15 a.m., I attended a meeting with Patty Pfau and Mark Coulter in Mark's office.
3. Toward the end of the meeting Patty mentioned that a former employee was scheduled to come to the office that day, and Patty asked Mark if she could give the employee a final paycheck one day before the scheduled payday (Friday). In response Mark asked, "Why should we do that?" Patty replied, "Because you let Wade (another employee) have his early." Patty's comment seemed to hit Mark the wrong way, and he responded by loudly using profanity (I do not recall the specific words) and then hitting his hand on his desk one time. Mark then said, "I've gotta get out of here" (or words to

that effect), and he got up from his desk and walked through the door, down the hall, and then outside.

4. When Mark was in the hallway I heard either Patty or Mark (I don't recall which one) say to the other one, "^{or reception area} *OP* You're out of line." I then heard the other person reply, "No. You're out of line."

5. I never felt threatened at any time during the meeting with Patty and Mark.

6. Mark never raised his hands at or toward Patty or me; he never made any threatening gestures toward either of us; and he never lunged at or toward either of us. Instead, from the moment Mark said "I've gotta get out of here" all of his movements seem to be aimed at his leaving the office and distancing himself from the situation.

7. Later that day ^{Week} *OP* Mark apologized to me for his behavior, which I really appreciated.

Further Affiant Sayeth Not.

Toni Peery
Toni Peery

STATE OF OKLAHOMA)
COUNTY OF OKLAHOMA) SS:

Subscribed and sworn to before me this 10 day of January, 2015.

SA
Notary Public

My Commission Expires: *September 6, 2017*

